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Attorneys for Defendants
CITY OF LOS ANGELES
(also erroneously sued as the Office of Wage
Standards for the City of Los Angeles) and
ERIC GARCETTI, in his official capacity as
Mayor of Los Angeles

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

BARLOW RESPIRATORY HOSPITAL,
at al.;

Plaintiffs,

v.

CITY OF LOS ANGELES; OFFICE OF
WAGE STANDARDS FOR THE CITY
OF LOS ANGELES; ERIC GARCETTI,
in his official capacity as Mayor of Los
Angeles; and DOES 1-20,

Defendants.

Case No. 2:22-CV-04828-JLS-GJS

**JOINT STATUS UPDATE ON
REFENDARY PETITION AND
REQUEST FOR CONTINUANCE OF
HEARING ON MOTION FOR
PRELIMINARY INJUNCTION [Fed.
R. Civ. P. 65]**

Hearing Date: September 16, 2022
Time: 10:30 a.m.
Courtroom: 8A

Requested Hearing Date:
September 23, 2022

**Hon. Josephine L. Staton
United States District Judge**

Relevant Procedural History

On July 15, 2022, Plaintiffs Barlow Respiratory Hospital, PIH Health Good Samaritan Hospital, Providence Holy Cross Medical Center, Hospital Association of Southern California, and California Hospital Association (“Plaintiffs”) filed a Motion for Preliminary Injunction [Dkt. 17], which Defendants City of Los Angeles¹ and Eric Garcetti (“Defendants”) opposed. Dkt. 26. On August 2, 2022, and August 16, 2022, Plaintiffs and Defendants (collectively, “the Parties”) stipulated to continue the hearing on Plaintiffs’ Motion for Preliminary Injunction in light of developments regarding the referendary petition for Los Angeles Ordinance No. 187566. Dkt. 30 and 32. The Court granted the stipulations [Dkt. 31 and 33], ultimately resulting in the hearing being continued to September 16, 2022. Dkt. 33. The Court further ordered the Parties “to promptly notify the Court on any developments that would necessitate a change or cancellation of this hearing date.” Dkt. 33.

Status Report re Developments

The Parties submit the following status update: On August 30, 2022, the Los Angeles City Clerk concluded its initial review, determined there was a sufficient number of signatures on the referendary petition, and issued a Final Conditional Acceptance of Filing receipt for the referendary petition against the Ordinance pursuant to Los Angeles City Election Code § 716. The Final Conditional Acceptance receipt is attached as **Exhibit A**. The news release issued by the City Clerk’s Office dated August 30, 2022, concerning the outcome of the initial review is attached as **Exhibit B**.

As a result, the City Clerk is now conducting a random sampling review of the signatures to the referendary petition, which is to be concluded by September 13, 2022. *Id.*, § 717(b). If sufficient, the Ordinance will remain suspended until approved by the voters at an election; if insufficient, the Ordinance will take immediate effect upon the certification. *See* Los Angeles Charter § 461(c). However, if the random sampling shows

¹ The City of Los Angeles contends that the Office of Wage Standards for the City of Los Angeles is not a separate legal entity.

the number of valid signatures is within 90-110% of the number needed to declare the referendary petition sufficient, the City Clerk will, within 30 days after completing the random sampling, examine and verify each signature filed. Los Angeles City Election Code § 717(b).

Request for Continuance on the Hearing on Plaintiffs' Motion

Based on the current status and the anticipated time it will take for the process to be completed under City law, and in the interest of judicial economy, the parties request the hearing on Plaintiffs' Motion for Preliminary Injunction be continued one-week from September 16, 2022, to September 23, 2022, at 10:30 a.m. The Parties will promptly notify the Court after September 13, 2022, of any developments that would necessitate a change or cancellation of that hearing date.

IT IS SO STIPULATED.

Dated: September 9, 2022 Respectfully submitted,

GIBSON, DUNN & CRUTCHER LLP

By: /s/ Maurice Suh
Maurice Suh

Attorneys for Plaintiff California Hospital
Association

BELL, MCANDREWS & HILTACHK, LLP

By: /s/ Thomas W. Hiltachk
Thomas W. Hiltachk

Attorneys for Plaintiffs Barlow Respiratory
Hospital; PIH Health Good Samaritan Hospital;
Providence Holy Cross Medical Center; Hospital
Association of Southern California

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4 **ARLENE N. HOANG, Deputy City Attorney**
5 **JOSEPH S. PERSOFF, Deputy City Attorney**

6 By: /s/ Arlene N. Hoang
7 Arlene N. Hoang, Deputy City Attorney
8 Counsel for Defendants City of Los Angeles (also
9 erroneously sued as the Office of Wage Standards
10 for the City of Los Angeles) and Eric Garcetti

11 **ECF ATTESTATION**

12 I, Arlene N. Hoang, hereby attest pursuant to Local Rule 5-4.3.4(a)(2) that the
13 concurrence in the filing of this document has been obtained by the above signatories.

14 Dated: September 9, 2022

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17 /s/ Arlene N. Hoang
18 Arlene N. Hoang
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